

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL ACTION NO. 3:15-CV-369-MOC-DCK**

GREGORY TODD PAINTER, JR.,

Plaintiff,

v.

JONATHAN ADAMS, et al.,

Defendants.

CONSENT PROTECTIVE ORDER

WHEREAS, in this action, Plaintiff alleges that Defendants denied him due process;

WHEREAS, during the depositions of UNCC employees Mark Lariviere, Jonathan Adams and Christine Reed Davis, Plaintiff watched these depositions via Skype and recorded each deposition;

WHEREAS, Plaintiff's counsel was unable to produce an identical copy of the recorded depositions. However, Plaintiff was able to reproduce the video tape, and provided Defendants with a copy of the reproduced video tape on March 10 and March 15, 2017. Thus, the version of the video Plaintiff provided to Defendants in discovery is not an identical copy of the version that Plaintiff recorded on February 22, 2017; and

WHEREAS, the parties jointly agree that the version of the video tape recording that was not produced to Defendants shall be subject to a consent protective order.

IT IS HEREBY ORDERED as follows:

1. That the original video created by Plaintiff during the February 22, 2017, depositions of Mark Lariviere, Jonathan Adams and Christine Reed Davis shall be subject to a

protective order whereas to the extent permitted by North Carolina law, the parties and their agents and representatives, including their attorneys, agree to maintain the confidentiality of the original video created by Plaintiff during the February 22, 2017 depositions, except that as may be necessary for mandatory legal disclosures, in connection with any subpoena or court order. This provision includes not disclosing, discussing, publicizing, circulating, or advertising this original video.

2. Any party may at any time and for any reason seek modification of this Protective Order. This Protective Order can be modified only by written agreement of the parties or by Order of this Court. Each party reserves the right to object to any party's motion or request to modify this Protective Order.

IT IS SO ORDERED.

Signed: April 25, 2017



David C. Keesler
United States Magistrate Judge



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